

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CHRISTIE BOWERS,)	Case No.: C08-1768RSM
)	
Plaintiff,)	DEFENDANT'S OPPOSITION TO
)	PLAINTIFF'S MOTION TO WITHDRAW
vs.)	COUNSEL
)	
ROBIN KLETKE and ROBIN COHEN,)	
husband and wife and the marital community)	NOTE ON MOTION DOCKET:
composed thereof,)	MARCH 26, 2010
Defendants)	

Due to recently received information concerning the facts and claims made in the original complaint (DKT #1), defendants hereby oppose the Plaintiff's Motion For Leave and Order For Withdrawal and Substitution of Counsel for Plaintiff (DKT #60).

While it is apparent that Mr. Cavagnaro has not properly participated in this case, it is now possible that the plaintiff did not have the basic evidence indicated in the original complaint. A recent email (Exhibit A, paragraph 4, line 5) from plaintiff's counsel, Mr. Mark Walters, indicates that the plaintiff cannot identify which, if any, emails were allegedly viewed by the defendants. Mr. Cavagnaro specifically indicated that plaintiff had records indicating that 139 emails were viewed and that email contents were disclosed to third parties. With this recent information from Mr. Walters, it is likely that the plaintiff did not have evidence of the facts stated in her original complaint.

1 If in fact the evidence stated in the original complaint does not exist, and if allowing Mr.
2 Cavagnaro to exit the case would prohibit the defendants from pursuing relief, then the
3 defendants respectfully ask that the Court deny Mr. Cavagnaro from leaving the case.

4 In addition, there is a pending motion before the Court regarding Monetary Sanctions
5 against Mr. Cavagnaro for his past conduct in this case.

6 Defendants therefore request that the Court deny plaintiff's motion to remove Mr.
7 Cavagnaro from the case until these matters are resolved.

8
9 Respectfully submitted and dated this __22nd__ Day of March, 2010 by Robin Kletke on
10 behalf of defendants Robin Kletke and Robin Cohen.

11 /s/ Robin Kletke
12 Robin Kletke

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CERTIFICATE OF SERVICE

I, Robin Kletke, hereby certify that on March __22nd__, 2010, I filed with the Clerk of the Court via the CM/ECF system which will send notification of this filing to the following:

Gregory Cavagnaro
Law Offices of Gregory Cavagnaro
1400 112th Avenue SE #100
Bellevue, WA 98004
Lead Attorney for Plaintiff

Mark Walters
1411 Fourth Avenue, Suite 75
Seattle, WA 98101
Attorney for Plaintiff

I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

Dated this _22nd_____ Day of March, 2010

/s/ Robin Kletke
Robin Kletke